IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPLICATION NO.31 OF 2002

The Commissioner of Central Excise
Mumbai - III .. Applicant.

V/s.

M/s.Shiva Suitings Ltd., & Ors. .. Respondents.

Mr.S.S. Pakale for the applicant.

Mr.Vijay Agarwal i/b. Mr.K.V. Aiyar & Associates for respondent No.1.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 4TH MAY, 2005.

P.C. :

1. Issue sought to be raised in this application is squarely covered by the judgment of the Apex Court in the case of Collector of Central Excise, Ahmedabad V/s. Orient Fabrics Pvt. Ltd. [2003 (158 E.L.T. 545 (SC)].

2. In this view of the matter, the application stands dismissed with no order as to costs.

(V.C. DAGA, J.)

(J.P. DEVADHAR, J.)